

Comments Re:  
MB Docket No. 04-232  
Retention by Broadcasters of Program Recordings

To the Commission:

The proposal to require retention of program recordings by all broadcasters for a sixty to ninety day period will impose a huge burden on the sort of small, locally owned broadcasters who promote the sort of localism and community voice that is so desperately needed in today's media environment. Therefore, I must respectfully oppose the proposal to require retention of recordings on the basis of harm to small broadcasters.

Optionally, if the FCC is committed to requiring retention of recordings, it should offer exemptions from the requirement for broadcasters that meet certain specific criteria:

1. Exempt LPTV, Class A Television, and LPFM stations from the recording retention requirement
2. Exempt full-powered AM, FM, TV, and DTV stations whose protected contours cover fewer than 500,000 people
3. Exempt any broadcaster with annual revenues below \$1,000,000, regardless of market size or population within the protected contour of the station

These exemptions would ensure that the recording retention requirement would not be a burden on stations that have limited resources. It is worth noting that these stations are unlikely to be the source of indecency complaints, based on the past history that shows that the FCC has normally responded to indecency complaints based on programming airing on stations in larger markets.

Finally, should the FCC choose to impose a recording retention requirement, the requirement should be designed to minimize the burden on broadcasters by specifically stating that the recordings need not be of broadcast quality.

Respectfully submitted,

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